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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA *ex rel.* STF,
11 LLC, an organization; STATE OF
CALIFORNIA; *ex rel.* STF, LLC, an
12 organization,

13 Plaintiffs,

14 v.

15 VIBRANT AMERICA, LLC, a Delaware
limited liability company,

16 Defendants.
17

Case No. 3:16-cv-02487-JCS

**JOINT UPDATED CASE MANAGEMENT
CONFERENCE STATEMENT**

Date: June 25, 2021

Time: 2:00 p.m.

Judge: Hon. Joseph C. Spero

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JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT ;
Case No. 3:16-cv-02487-JCS

JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT

Relator STF, LLC (“Relator”), and Vibrant America, LLC (“Vibrant” or “Defendant”), submit this Joint Updated Case Management Conference Statement.

1. **Discovery:** Both Parties have issued and responded to extensive document requests. After extensive meet and confer regarding appropriate custodians and keywords for document searches, both Parties have begun rolling productions of documents.

Vibrant has produced approximately 16,311 documents to date, and Relator has produced approximately 1,248 (with an additional 686 documents being produced today). Both Parties have several thousand more documents to review and produce, and expect that document productions will not be complete for several more weeks.

Vibrant has issued two sets of interrogatory requests to which Relator has responded in part. The parties have met and conferred regarding certain of the interrogatories and Relator will supplement its responses to interrogatories.

Relator has taken a Rule 30(b)(6) deposition on data and systems, and a second Rule 30(b)(6) deposition on substantive issues. The Parties anticipate noticing more depositions upon substantial completion of document production, which as outlined above, is expected to take several more weeks.

The Parties have also issued document subpoenas to several third parties.

2. **ADR:** The Parties have agreed to a second mediation with Martin Quinn, of JAMS. Mr. Quinn has several mid-July dates available. The Parties have agreed to exchange particular categories of information prior to the second mediation that should facilitate discussions.

3. **Other Issues:** The Parties are diligently working through discovery issues. However, given the volume of potentially responsive documents yet to produce, and the Parties’ agreement to a second mediation, the Parties believe that an extension of the fact discovery cut-off, currently July 30, 2021, is warranted, and may help facilitate resolution. The current schedule, and the Parties’ proposed modifications, are as follows:

	Current Date	Proposed Date
Fact Discovery Cut-Off:	July 30, 2021	October 15, 2021
Expert Disclosures:	September 1, 2021	November 15, 2021
Expert Rebuttals:	September 21, 2021	December 6, 2021
Expert Discovery Cut-Off:	October 22, 2021	January 3, 2022
Dispositive and <i>Daubert</i> Motions Hearing:	December 17, 2021	March 4, 2022
Pretrial Conference:	March 25, 2022	May 7, 2022
Jury Trial:	April 11, 2022	May 23, 2022

Dated: June 18, 2021

COTCHETT, PITRE & McCARTHY LLP

By: /s/ Justin T. Berger
JUSTIN T. BERGER
BETHANY M. HILL

Attorneys for Relator

Dated: June 18, 2021

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